

THE HONORABLE DONETTA W. AMBROSE
U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA
RULES FOR PRETRIAL AND TRIAL MATTERS

MOTIONS AND BRIEFS

1. Any dispositive motion must be accompanied by a brief and a proposed order of court.
2. Any brief support dispositive motions cannot exceed 20 pages in length. The briefs must contain all information relevant to disposition of the motion therein - incorporating previously filed motions or briefs is prohibited, as is the filing of a separate “statement of facts.”
3. All motions or briefs must be double-spaced, and cannot use a font size smaller than 12.
4. No Replies to Responses or Briefs in Oppositions, or subsequent briefs will be permitted absent leave of Court.
5. The Court is not inclined to grant extensions for the filing of motions or briefs. Any request for an extension must take the form of a written motion (accompanied by a proposed order), and the motion must include a statement regarding opposing counsel’s position on an extension.
 - 5(a). ALL motions, stipulations for dismissal, etc. MUST BE accompanied by a proposed order of court.
6. Courtesy copies are not required unless requested by the Judge and/or a law clerk with the exception of jury instructions. Please provide a copy of the proposed jury instructions to chambers.

DISCOVERY

1. Counsel are encouraged to begin the discovery process prior to attending the initial status conference.
2. Discovery disputes will be disposed of without oral argument, unless the Court otherwise notifies counsel.
3. Should a particular case generate a large number of discovery disputes, the Court may appoint a discovery master, with costs borne by the parties.
4. The Court is not inclined to grant discovery extensions.

STATUS CONFERENCES

1. At the initial status conference, the Court will generally establish a schedule for the completion of discovery any may include dates for dispositive motions. Unless otherwise specified at the conference, the discovery period encompasses both fact and expert discovery.
2. At the initial status conference, counsel for Plaintiff(s) should be prepared to communicate a demand.
3. Out of town counsel who wish to participate in the status conference via telephone should contact the Courtroom Deputy (Linda Krings) in advance of the conference.

SETTLEMENT CONFERENCE FOLLOWING CONCLUSION OF DISCOVERY

1. At the conclusion of discovery , but before the filing of dispositive motions, the Court may schedule a settlement conference. Counsel must attend the conference and cannot participate by telephone. Parties must either attend or be available by telephone.
2. One purpose of this conference is to discuss settlement. At least three working days prior to the conference, the parties should submit brief letters to the Judge detailing the relative strengths and weaknesses of their case, as well as settlement postures. The letters will not be filed nor shared with opposing counsel. Accordingly, candor is expected.
3. If a conference is scheduled, counsel shall also be prepared to discuss the filing of dispositive motions. Specifically, counsel who intends to file such a motion must be prepared to briefly identify those claims to be included in the motion, the basis for claiming that a party is entitled to judgment as a matter of law, and the relevant undisputed material facts. Counsel for the nonmoving party shall be given the opportunity to explain any opposition to a motion.
4. Following this discussion, should any party still desire to file a motion, the Court will give filing dates, if not have already been given. Counsel shall be aware that the dates for any such filings shall occur shortly after the conference.

SETTLEMENT CONFERENCE FOLLOWING DISPOSITION OF SUMMARY JUDGMENT MOTIONS

1. If a dispositive motion is filed, and if any portion of the claims asserted still remain, the Court shall schedule a Pretrial/Settlement Conference following the issuance of an Opinion and Order. Again, counsel shall be present and parties shall either be present or available by telephone.
2. The parties shall be prepared to discuss settlement, and are encouraged to communicate demands and offers prior to the conference.

3. If settlement is not reached, the Court may ask the parties to agree to a trial before a Magistrate Judge. Accordingly, counsel shall speak with their clients on this issue prior to attending the conference and be prepared to respond.
4. If a settlement is not reached, and the parties do not agree to trial before a Magistrate Judge, the Court shall schedule dates for the filing of various pretrial motions such as motions in limine, voir dire, and jury instructions.
5. Any motions file beyond the established filing date will be denied, absent good cause.
6. The Court will expect the parties to estimate the number of days needed to present his/her case. The Court shall set aside a number of date for trial based upon these estimations.

TRIAL

1. Trial days will generally run from 9:30 AM until 12:30 PM, and then from 1:30 PM until 4:30 PM. Trials may or may not occur on Friday.
2. With respect to anything other than routine exhibits such as documents, counsel must contact Chambers in advance of trial with the number and type of exhibits. Chambers may have to contact the security guards and/or marshal's office regarding the exhibits.
3. Counsel shall be kept within strict time limits for the presentation of his/her case. Any discussion such as offers of proof shall be conducted either before the start of the trial day or after the conclusion of the trial day.
4. With respect to exhibits, Plaintiff(s) shall use numbers to identify exhibits, and Defendant(s) shall use letters.